

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FTX TRADING LTD., *et al.*,¹

Debtors.

)
) Chapter 11
)
) Case No. 22-11068 (JTD)
)
) (Jointly Administered)
)
) **Re: Docket No. 1480**
)

**DECLARATION OF BRETT BAKEMEYER IN SUPPORT OF THE OMNIBUS REPLY
OF THE JOINT PROVISIONAL LIQUIDATORS OF FTX DIGITAL MARKETS LTD.
TO OBJECTIONS TO THE MOTION FOR A DETERMINATION THAT THE U.S.
DEBTORS' AUTOMATIC STAY DOES NOT APPLY TO OR IN THE ALTERNATIVE
FOR RELIEF FROM STAY FOR FILING OF THE APPLICATION IN THE SUPREME
COURT OF THE COMMONWEALTH OF THE BAHAMAS SEEKING RESOLUTION
OF NON-US LAW AND OTHER ISSUES**

1. I, Brett Bakemeyer, pursuant to 28 U.S.C. § 1746, declare as follows:

2. I am an attorney with the law firm of White & Case LLP, counsel to FTX Digital Markets, Ltd. (“**FTX Digital**”), and Brian C. Simms KC, Kevin G. Cambridge, and Peter Greaves in their capacity as the duly appointed joint provisional liquidators of FTX Digital and foreign representatives of the Provisional Liquidation of FTX Digital (the “**Joint Provisional Liquidators**”). I am admitted to practice *pro hac vice* before the Court in this action. [D.I. 124].

3. I submit this declaration in support of *Omnibus Reply of the Joint Provisional Liquidators of FTX Digital Markets Ltd. to Objections to the Motion for a Determination that the U.S. Debtors' Automatic Stay Does Not Apply to, or in the Alternative for Relief from Stay for*

¹ The last four digits of FTX Trading Ltd.'s tax identification number are 3288. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the debtors (the “**U.S. Debtors**”) and the last four digits of their federal tax identification numbers is not provided here. A complete list of such information may be obtained on the website of the U.S. Debtors' claims and noticing agent at <https://cases.ra.kroll.com/FTX>.

Filing of the Application in The Supreme Court of The Commonwealth of The Bahamas Seeking Resolution of Non-U.S. Law and Other Issues (the “**Reply**”).² This Declaration is based on my personal knowledge and upon my review of the records of this and related matters.

4. Attached hereto as **Exhibit A** is a true and correct copy of the U.S. Debtors’ Responses and Objections to Joint Provisional Liquidators’ Requests for Production of Documents, dated May 10, 2023.

5. Attached hereto as **Exhibit B** is a true and correct copy of the following legal authority cited in the Reply: *Habibsons Bank Ltd. v. Standard Chartered Bank (Hong Kong) Ltd.* [2011] QB 943.

6. Attached hereto as **Exhibit C** is a true and correct copy of a Letter of Credit agreement between FTX Digital Markets and Customer 1, dated October 20, 2022.

7. Attached hereto as **Exhibit D** is a true and correct copy of a Letter of Credit agreement between FTX Digital Markets and Customer 2, dated October 20, 2022.

8. Attached hereto as **Exhibit E** is a true and correct copy of a Letter of Credit agreement between FTX Digital Markets and Customer 3, dated October 20, 2022.

9. Attached hereto as **Exhibit F** is a true and correct copy of a Letter of Credit agreement between FTX Digital Markets and Customer 4, dated October 19, 2022.

10. Attached hereto as **Exhibit G** is a true and correct copy of a Letter of Credit agreement between FTX Digital Markets and Customer 5, dated October 19, 2022.

11. Attached hereto as **Exhibit H** is a true and correct copy of a Letter of Credit agreement between FTX Digital Markets and Customer 6, dated October 21, 2022.

² Capitalized terms not defined herein shall have the meaning ascribed to them in the Reply, filed simultaneously herewith.

12. Attached hereto as **Exhibit I** is a true and correct copy of a Letter of Credit agreement between FTX Digital Markets and Customer 7, dated October 20, 2022.

13. Attached hereto as **Exhibit J** is a true and correct copy of a Letter of Credit agreement between FTX Digital Markets and Customer 8, dated October 21, 2022.

14. Attached hereto as **Exhibit K** is a true and correct copy of a Letter of Credit agreement between FTX Digital Markets and Customer 9, dated October 19, 2022.

15. Attached hereto as **Exhibit L** is a true and correct copy of a Letter of Credit agreement between FTX Digital Markets and Customer 10, dated October 20, 2022.

16. Attached hereto as **Exhibit M** is a true and correct copy of a Letter of Credit agreement between FTX Digital Markets and Customer 11, dated October 19, 2022.

Executed on May 12, 2023 in New York, New York.

/s/ Brett Bakemeyer

Brett L. Bakemeyer

Associate

White & Case LLP